

**TOWN OF NEWSTEAD**  
**PLANNING BOARD MINUTES**  
**December 13, 1999**

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| PRESENT: | Dave Wakeman, Chairman<br>Terry Janicz<br>Jim Ebersole<br>Mary Valentine<br>Andy Kelkenberg | Don Folger, Code Enforcement Off.<br>Bill Walworth, Deputy Bldg. Inspector<br>Rebecca Baker, Planning Board Clerk |
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The meeting was called to order at 7:30pm. Andy motioned to accept the minutes from the November 15<sup>th</sup> meeting as written, Mary seconded and all approved.

Lisa Bellis was introduced to the board as a possible interested resident for the open position on the planning board.

The board set the 2000 meeting dates and they will be posted upstairs in the Town Hall bulletin board.

Dave reviewed 1999 activity with the board. There were 19 minor subdivisions, 1 major subdivision, 5 pre-applications, rezoning, 1 cell tower, rewording of town ordinance, a non-conformance to site plan, Adesa and Buffalo Well Drilling.

Public hearings were held for the following:

A public hearing to hear comments regarding the Baer subdivision on Dorsch Rd was opened at 8:05pm. Attendance as above minus Jim Ebersole. Clerk read proof of publication. No previous comments were received. Mr. Joseph Baer was present. As no one else was present to comment, Mary motioned to close the hearing at 8:09pm. Terry seconded and all approved.

The board questioned Mr. Baer about any deed restrictions or easements and were informed that there were none. Drainage was reviewed and Terry motioned to approve the subdivision, Andy seconded and all approved.

A public hearing to hear comments regarding the DiRienzo subdivision on Cedar St. was opened at 8:15pm. Attendance as above minus Jim Ebersole. Clerk read proof of publication. No previous comments were received. Mr. DiRienzo was present. As no one else was present to comment, Andy motioned to close the hearing at 8:17pm, Terry seconded and all approved.

Jim Ebersole entered the meeting at 8:18pm.

Mr. DiRienzo explained to the board why the lot was so odd shaped. It will square off the adjacent lot on Carney Rd. that the buyer already owns. It will also leave Mr. DiRienzo with an even amount of frontage for future subdivisions. Drainage was reviewed, and Dave motioned to approve the subdivision, Jim seconded and all approved.

A public hearing to hear comments regarding the Brown subdivision on Rapids Rd. was opened at 8:25pm. Attendance as above. Clerk read proof of publication. No previous comments were received. Mr. Spencer Brown was present. As no one else was present to comment, Mary motioned to close the hearing at 8:27pm, seconded by Terry and all approved.

The board was informed no easement or restrictions exist and drainage was reviewed. Jim motioned to approve the subdivision, Andy seconded and all approved.

A public hearing to hear comments regarding the Cummings/Clark subdivision on Fletcher Rd. was opened at 8:40pm. Attendance as above. Clerk read proof of publication. No previous comments were received. Mrs. Bea Cummings and Mr. Floyd Clark were present. As no one else was present to comment, Terry motioned to close the hearing at 8:42pm, Jim seconded and all approved.

The board questioned whether the proposed parcel actually had road frontage. It was explained that the road right of way at that location actually varies in size and follows the lot as well as the road, making it an odd shape. According to the drawing, submitted by the engineer, which shows the new right of way, the lot does indeed have road frontage. A portion

of the lot is in the floodzone, but plans for construction are out of the zone. Terry motioned to approve the subdivision, seconded by Andy and all approved.

Don Folger informed the board that local law #4 has been adopted. Mr. Folger asked the board if they would like to continue requiring a drainage plan for all subdivision applications. The consensus was that it would be helpful to address drainage issues before approval was granted.

Mr. Folger updated the board in regards to the Casilio subdivision. It was discovered that the parcel, which the proposed split would be divided off of, does indeed have enough road frontage. A small portion of the lot (132') actually fronts on Howe Rd. also, meeting the frontage required. Therefore, it would not be necessary to resurvey or redeed 10' off the parcel to the west. The board is waiting to hear back from North Star Construction.

The board reviewed the site plan for the 288 sq. ft. addition to the rear of the Nicholas, Perot and Strauss building that is located at 12364 Main Rd. No comments were received from Wendel. Jim motioned to recommend approval of the site plan, Mary seconded and all approved. Rebecca will write a memo to the town board with the planning board's recommendation.

Mr. Folger informed the board that Buffalo Well Drilling had been summoned to court. They have so far pleaded not guilty and a hearing will be held in January. Mr. Folger is asking that the court order the new building, which was built too big and too close to the road, be removed.

Mary motioned to adjourn the meeting at 9:30pm. Dave seconded the motion and all approved.

Respectfully submitted,  
Rebecca K. Baker,  
Recording Secretary